

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 02/27/2020

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ALLISON NAVAR, et al.

Plaintiffs,

-against-

WALSH CONSTRUCTION COMPANY II,
LLC, et al.,

Defendants.
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18 Civ. 10476 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, by letter to Chambers dated July 17, 2020, Defendants requested leave for Plaintiffs to file in redacted form the memorandum of law and selected exhibits that Plaintiffs anticipate filing in support of their Motion for Class/Collective Certification;

WHEREAS, Defendants' redaction requests were granted by this Court's Order at Dkt. No. 85 to prevent the unauthorized dissemination of confidential business information, including information related to the compensation of non-parties;

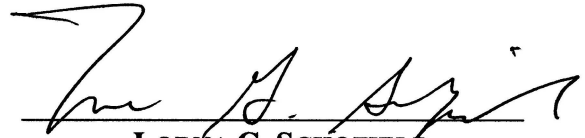
WHEREAS, by letter motion on February 26, 2020, Defendants moved to file the Opposition to Plaintiffs' Motion for Class/Collective Certification and supporting documents with redactions consistent with those previously proposed (Dkt. No. 97). It is hereby

ORDERED that Defendants' redaction requests are **GRANTED**. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the relevant facts and circumstances of the particular case."). Filing the above-referenced documents in redacted form is necessary to prevent the unauthorized dissemination of confidential business information, including information related to

the compensation of non-parties. It is further

ORDERED that, by **March 2, 2020**, Defendants shall publicly file the Opposition to Plaintiffs' Motion for Class/Collective Certification and supporting documents in redacted form on ECF. The documents at Dkt. Nos. 98 and 99 shall remain under seal, and shall be accessible only to the following attorneys who have appeared in this matter: Lucas Buzzard, Mariann Wang, Daniel Kirschenbaum, Barbara Hoey, Mark Konkell, Alyssa Smilowitz, Nidhi Srivastava, Benjamin Sandahl, Amber Spataro and Jacqueline Kalk. The parties are advised that the Court retains discretion as to whether to afford confidential treatment to redacted information in Orders and Opinions.

Dated: February 27, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE